

HOUSE BILL No. 1099

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-17-2-87; IC 15-17-3-13; IC 15-17-3-23.

Synopsis: Standards for livestock and poultry care. Allows the board of animal health to assist organizations that represent poultry producers with issues related to poultry. Allows the board to adopt rules to establish standards governing the care of livestock and poultry.

Effective: January 1, 2010 (retroactive).

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January 5, 2010, read first time and referred to Committee on Agriculture and Rural Development.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1099

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-17-2-87, AS ADDED BY P.L.2-2008,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2010 (RETROACTIVE)]: Sec. 87. "Poultry", for
4 purposes of **IC 15-17-3 and IC 15-17-5**, means a domesticated bird,
5 whether live or dead.

6 SECTION 2. IC 15-17-3-13, AS AMENDED BY P.L.111-2009,
7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JANUARY 1, 2010 (RETROACTIVE)]: Sec. 13. In addition to the
9 powers and duties given the board in this article and by law, the board
10 has the powers and duties reasonable and necessary to do the
11 following:

- 12 (1) Provide for the quarantine of animals and objects to prevent,
13 control, and eradicate diseases and pests of animals.
14 (2) Develop, adopt, and implement programs and procedures for
15 establishing and maintaining accredited, certified, validated, or
16 designated disease or pest free or disease or pest monitored
17 animals, herds, flocks, or areas, including the following:



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- 1 (A) The establishment and maintenance of herds that are
- 2 monitored for disease or pest syndromes.
- 3 (B) The establishment and maintenance of certified or
- 4 validated brucellosis free herds, animals, and areas.
- 5 (C) The establishment and maintenance of accredited
- 6 tuberculosis free herds, animals, and areas.
- 7 (3) Develop, adopt, and implement programs and plans for the
- 8 prevention, detection, control, and eradication of diseases and
- 9 pests of animals.
- 10 (4) Control or prohibit, by permit or other means, the movement
- 11 and transportation into, out of, or within Indiana of animals and
- 12 objects in order to prevent, detect, control, or eradicate diseases
- 13 and pests of animals. When implementing controls or
- 14 prohibitions, the board may consider whether animals or objects
- 15 are diseased, suspected to be diseased, or under quarantine, or
- 16 whether the animals or objects originated from a country, a state,
- 17 an area, or a premises that is known or suspected to harbor
- 18 animals or objects infected with or exposed to a disease or pest of
- 19 animals.
- 20 (5) Control or prohibit the public and private sale of animals and
- 21 objects in order to prevent the spread of disease and pests of
- 22 animals.
- 23 (6) Control the use, sanitation, and disinfection of:
- 24 (A) public stockyards; and
- 25 (B) vehicles used to transport animals and objects into and
- 26 within Indiana;
- 27 to accomplish the objectives of this article.
- 28 (7) Control the use, sanitation, and disinfection of premises,
- 29 facilities, and equipment to accomplish the objectives of this
- 30 article.
- 31 (8) Control the movement of animals and objects to, from, and
- 32 within premises where diseases or pests of animals may exist.
- 33 (9) Control the movement and disposal of carcasses of animals
- 34 and objects.
- 35 (10) Control the manufacture, sale, storage, distribution, handling,
- 36 and use of serums, vaccines, and other biologics and veterinary
- 37 drugs, except those drugs for human consumption regulated under
- 38 IC 16-42-19, to be used for the prevention, detection, control, and
- 39 eradication of disease and pests of animals.
- 40 (11) Control and prescribe the means, methods, and procedures
- 41 for the vaccination or other treatment of animals and objects and
- 42 the conduct of tests for diseases and pests of animals.

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(12) Develop, adopt, and implement plans and programs for the identification of animals, objects, premises, and means of conveyances. Plans and programs may include identification:

(A) of animals or objects that have been condemned under this article; and

(B) related to classification as to disease, testing, vaccination, or treatment status.

(13) Establish the terms and method of appraisal or other determination of value of animals and objects condemned under this article, the payment of any indemnities that may be provided for the animals and objects, and the regulation of the sale or other disposition of the animals or objects.

(14) Control the sale of baby chicks.

(15) Cooperate and enter into agreements with the appropriate departments and agencies of this state, any other state, or the federal government to prevent, detect, control, and eradicate diseases and pests of animals.

(16) Control or prohibit the movement and transportation into, out of, or within Indiana of wild animals, including birds, that might carry or disseminate diseases or pests of animals.

(17) Provide for condemning or abating conditions that cause, aggravate, spread, or harbor diseases or pests of animals.

(18) Establish and designate, in addition to the animal disease diagnostic laboratory under IC 21-46-3-1, other laboratories necessary to make tests of any nature for diseases and pests of animals.

(19) Investigate, develop, and implement the best methods for the prevention, detection, control, suppression, or eradication of diseases and pests of animals.

(20) Investigate, gather, and compile information concerning the organization, business conduct, practices, and management of any registrant, licensee, permittee, applicant for a license, or applicant for a permit.

(21) Investigate allegations of unregistered, unlicensed, and unpermitted activities.

(22) Institute legal action in the name of the state of Indiana necessary to enforce:

(A) the board's orders and rules; and

(B) this article.

(23) Control the collection, transportation, and cooking of garbage to be fed to swine or other animals and all matters of sanitation relating to the collection, transportation, and cooking of garbage

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affecting the health of swine or other animals and affecting public health and comfort.

(24) Adopt an appropriate seal.

(25) Issue orders as an aid to enforcement of the powers granted by this article, IC 15-18-1, and IC 15-19-6.

(26) Control disposal plants and byproducts collection services and all matters connected to disposal plants and byproducts collection services.

(27) Abate biological or chemical substances that:

(A) remain in or on any animal before or at the time of slaughter as a result of treatment or exposure; and

(B) are found by the board to be or have the potential of being injurious to the health of animals or humans.

(28) Regulate the production, manufacture, processing, and distribution of products derived from animals to control health hazards that may threaten:

(A) animal health;

(B) the public health and welfare of the citizens of Indiana; and

(C) the trade in animals and animal products in and from Indiana.

(29) Cooperate and coordinate with local, state, and federal emergency management agencies to plan and implement disaster emergency plans and programs as the plans and programs relate to animals in Indiana.

(30) Assist law enforcement agencies investigating allegations of cruelty and neglect of animals.

(31) Assist organizations that represent livestock **and poultry** producers with issues and programs related to the care of livestock **and poultry**.

(32) Establish a registry of commercial dog brokers and commercial dog breeders in Indiana.

SECTION 3. IC 15-17-3-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)]: **Sec. 23. The board may adopt rules to establish standards governing the care of livestock and poultry. The board shall consider the following when adopting the standards:**

(1) **The health and husbandry of the livestock and poultry.**

(2) **Generally accepted farm management practices.**

(3) **Generally accepted veterinary standards and practices.**

(4) **The economic impact the standards may have on:**

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- 1 (A) livestock and poultry farmers;
- 2 (B) the affected livestock and poultry sector; and
- 3 (C) consumers.
- 4 SECTION 4. An emergency is declared for this act.

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